SUPREME COURT OF THE UNITED STATES

CHARLES KENNETH FOSTER *v.* FLORIDA, ET AL.

ON PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF FLORIDA

No. 01–10868. Decided October 21, 2002

The petition for a writ of certiorari is denied.

Statement of JUSTICE STEVENS respecting the denial of the petition for writ of certiorari.

In response to JUSTICE THOMAS' concurring opinion, I think it appropriate once again to emphasize that the denial of a petition for a writ of certiorari does not constitute a ruling on the merits. See *Knight* v. *Florida*, 528 U. S. 990 (1999) (opinion of STEVENS, J., respecting denial of petitions for writ of certiorari); *Singleton* v. *Commissioner*, 439 U. S. 940, 942–946 (1978) (opinion of STEVENS, J., respecting denial of petition for writ of certiorari).